



CERTIFICATE OF MAILING

I hereby certify that the following documents are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, with regard to Docket No. 2207/6926, Serial No. 09/417,527

1. Petition Under 37 C.F.R. §1.53(e) to Obtain a Filing Date for an Application and to Accept the Present Petition as Timely Filed
2. Declaration of Shawn W. O'Dowd in Support of Petition to Obtain a filing Date For an Application and to Accept the Present Petition as Timely Filed
3. Part 2 - Copy of Notice of Incomplete Application to be Returned with Response
4. Postcard

Dated: May 11, 2000

KENYON & KENYON

By: Pilar M. Rodriguez
Pilar M. Rodriguez

RECEIVED

MAY 17 2000

**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/417,527 10/13/99 FOTZOLU D 2207/6926

0212/0301

JOHN C ALTMILLER
KENYON & KENYON
1500 K STREET NW
WASHINGTON DC 20005

DATE MAILED: 2731

NOTICE OF INCOMPLETE APPLICATION

03/01/00

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

If all required items on this form are filed, the total amount owed by applicant as a ☐ small entity (statement filed)

☐ non-small entity is \$_____.

All of the items indicated below in "A" must be submitted within **TWO MONTHS** of the date of this Notice, or proceedings on the application will be terminated (37 CFR 1.53(e)). A newly executed oath or declaration in compliance with 37 CFR 1.63 covering these items is also required.

The filing date will be the date of receipt of all items required below in "A." Any assertions that these items required were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

A. The above-identified application papers are **not** entitled to a filing date because:

☐ 1. The specification (description and claims):

☐ a. is missing.

☐ b. does not include a written description of the invention.

☐ c. does not include at least one claim as prescribed by 35 U.S.C. 112.

A complete specification (including at least one claim in a nonprovisional application) as prescribed by 35 U.S.C. 112 is required.

☒ 2. The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

Applicant should reconsider whether drawings are necessary under 35 U. S. C. 113 (first sentence).

B. Additional observations on the above-identified application papers:

☐ 1. The statutory basic filing fee is:

☐ missing

☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27(b)).

☐ 2. The following additional claim fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 4. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 5. Pages _____ of the specification are missing.

☒ 6. Figures 1-9 described in the specification are missing.

☐ 7. Other: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

☐ "General Information Concerning Patents." See page _____

☐ Other: _____

A copy of this notice **MUST** be returned with the reply.